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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States parties due in 1993

Addendum

MALDIVES

[19 March 1996]

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Introduction

1. This report is submitted in accordance with the Convention on the Rights of the Child (1989) to which Maldives is a party, and it contains a brief overview of the activities carried out by way of implementing the said Convention in Maldives.

2. Maldives has made considerable progress in enhancing the situation of children (and women), particularly in child survival and basic education. All attempts are being made to improve the condition and status of the girl child, to reduce maternal mortality, to ensure safe motherhood, and to provide quality and equity of early childhood development and primary education, nutrition and access of safe water and sanitation to maximum levels achievable within the constraints of the physical structure, infrastructure and available resources of Maldives. There exists firm political will to foster such improvement and structural frameworks within which to do so.

I. GENERAL MEASURES OF IMPLEMENTATION

3. Maldives is an Islamic nation of long-standing and, in keeping with the Islamic tradition of ensuring sound upbringing of children, the welfare of children has always been a priority in the country. It was among the very first countries to ratify the historic Convention on the Rights of the Child. The practical activities that were subsequently undertaken in the country were a manifestation of Maldives commitment to the Convention, and to children.

4. The Government of Maldives under the leadership of His Excellency President Maumoon Abdul Gayoom is committed to fulfilling the needs of children, to safeguarding their basic human rights; to ensuring their right to enjoy the benefits of social and economic progress of the society and to guaranteeing a safe environment for them as emphasized by the Convention on the Rights of the Child, the World Declaration on the Survival, Protection and Development of Children and the decisions of the South Asian Association for Regional Cooperation (SAARC) Summits (1986-1991).

5. The fact that almost 50 per cent of the Maldivian population is comprised of children under 16 years of age, calls for even greater attention to promoting the total well-being of children. It is to this end that the activities specified in the Convention are being implemented.

6. The first such activity was declaring 1991 as the Year of the Maldivian Child. One of the most significant events of the year was the National Conference on the Maldivian Child, held in Malé, the capital of Maldives, from 8 to 11 July 1991.

7. The Conference highlighted the situation of Maldivian children and formulated measures to achieve their well-being in the light of the recommendations and global strategies adopted by the World Summit for Children, held in 1990. It adopted the Declaration on the Survival, Protection and Development of the Maldivian Child and an inter-ministerial coordination committee prepared the National Programme of Action (NPA) for achieving the goals set.

8. In November 1991, The Law on the Protection of the Rights of the Child was passed (Law 9/91). This was the first major piece of legislation passed subsequent to ratification and, following the content of the Convention, represented a landmark by recognizing the rights of children and their freedom and dignity and aiming to create conditions in which they can develop their full potential and look forward to a full and satisfying adult life. The Law initially identifies guiding principles and objectives for the State, parents, and the community in respect of their responsibilities towards children in endeavouring to make children patriotic, religious and healthy with a good upbringing.

9. This Law is the main legal document on children's rights and is the framework on which the implementation of the Convention is based. It states that any person in contempt of this law can be jailed, banished, placed under house arrest or fined. The Ministries responsible for each section are, over time, developing practices and specific policies, which can then be enforced through the use of the sanctions identified.

10. As a follow-up, the National Council for the Protection of the Rights of the Child was established, its mandate being to observe the role of the State, parents and the community and to monitor the goals set in the NPA. The establishment of a central database to monitor those goals is currently under way with the collaboration of the respective parties.

11. The National Council for the Protection of the Rights of the Child is headed by the Minister of Home Affairs, as the chair. The National Council is composed of 15 members from 12 different bodies, which include the Ministries of Health and Welfare, Education, Justice and Islamic Affairs, Youth Women's Affairs and Sport, Atolls Administration, Planning and Environment, Defence and National Security, Information and Culture, and Home Affairs. Also represented are the Attorney General's Office, and the Maldivian Parliament.

12. A special Unit for the Rights of the Child (URC) was established at the Ministry of Home Affairs on 1 November 1992. This was seen as a major outcome of the efforts made to improve the welfare of children. The unit deals with all issues related to children's rights, their publicity, promotion and implementation. A primary task of the Unit is to offer a counselling service to children (and parents) whose behaviour is problematic, either at home, at school or in the community; and to children who have been abused, abandoned or neglected.

13. The number of cases reported to the Unit is suggestive of the fact that children face many problems that warrant attention. Since the inception of the Unit in November 1992, a total of 997 cases have been referred to it as follows:

November/December	1992	57
	1993	205
	1994	285
	1995	350

14. An analysis of these cases suggests that the underlying causes of child-related problems are associated with social issues such as broken families and changing societal values that are challenging traditional values and causing a rift between generations.

15. To offer a unified national service to the country's children URC has commenced a programme of training for personnel in the atolls. To date, training programmes have been run in Fuah Mulah and Ari Atoll. There are a further four training workshops planned for 1996.

16. Training needs are high both amongst the URC counsellors, who, whilst highly committed and motivated, are young, unqualified and with little experience, and amongst the volunteer counsellors, in Malé and on the atolls.

17. URC has been financially assisted by UNICEF since its inception in 1992, and in 1995 Voluntary Service Overseas (UK) posted a volunteer as Child Rights Coordinator, primarily to train counsellors in Malé and throughout the country.

General constraints on development

18. An almost unique environmental constraint to universal and sustainable development in Maldives is the physical structure of the country. The people of Maldives inhabit 199 out of a total of over 1,190 coral islands, widely dispersed over a large area. The dispersed and fragmented geographic nature of the country is reflected in every aspect of life and exerts a dominant influence on the infrastructure (as infrastructure costs would need to be replicated over most of the 200 islands) and, consequently, on the ability and opportunity to develop, fully, equity of services for children throughout the country.

19. The capital island, Malé is populated by nearly one quarter of the total population of the country, which currently stands at about 245,000. The remaining population is sparsely distributed among the 199 inhabited islands. Economic concentration around Malé (and the tourist resorts) has led to internal migration and a flow of resources resulting in widening disparities within the country, despite an overall improvement of economic conditions. Decentralization, which is conducive to sustainable development is being pursued.

20. Environment degradation related to fresh water aquifer depletion, saline water intrusion in the fresh water aquifer, solid waste management and disposal, coral mining, land reclamation destroying reefs and coastal erosion, and global warming leading to rising sea levels (the latter, in fact, threatening the security of the whole nation) seriously impede development.

21. A further threat to the environment is the population expansion, Maldives having one of the highest population growth rates in the world. A growth rate of 3.5 per cent threatens to undermine the quality of life, particularly in the atolls. Population and ecological balance is hindered by depletion of vegetation, fuelwood, water supplies, coral and sand (for construction). Elements of population policy have been included since 1988 in the National Development Plan which brought about progress in population programmes in the

atolls. 1995, however saw the emergence of an extensive population policy, dealing with a whole range of issues connected with family welfare, under the management of the World Health Organization (WHO).

22. Because of the rapid population increase, the number of children to be served by the main services, i.e. health and education, multiply quickly, exerting pressure on existing facilities and leaving little time for forward planning.

23. Whilst transport facilities have improved recently (through the mechanization of dhonis, increased air transport and harbour deepening), transport between islands and atolls remains difficult.

"Public information"

24. The Convention on the Rights of the Child has been translated into the Maldivian language, Dhivehi. To date, one thousand copies have been distributed to the public by URC. A simplified version of the Convention has been included in a report published by URC, which also includes a descriptive, statistical and analytical report on the cases reported to URC.

25. Section 7 of the Law on the Protection of the Rights of the Child specifies that special programmes imparting information and advice relevant to children, should be telecast/broadcast through television and radio. This section also indicates that the programmes targeting children should not use undesirable language or scenes which might have a negative impact on the behaviour of the child. In this regard, Television Maldives and the Voice of Maldives broadcast special programmes for children. Some of the programmes are presented by children themselves. Special columns in the daily newspapers are allocated to children.

26. Furthermore, some of the programmes broadcast through television and radio are intended to inform the general public about the upbringing of children, reminding parents and making them more aware of their duties and responsibilities towards their children. In these programmes due reference is made to Islamic values and principles relating to the development of the child. URC also plays a continuing role in raising public awareness of child related issues, through the production of posters and leaflets on a regular basis.

II. DEFINITION OF THE CHILD

27. The Law on the Protection of the Rights of the Child (Law No. 9/91) defines any person below the age of 16 years as a child. The age of attainment of adulthood is, however, 21 years. Legal minimum ages established for specific purposes include:

Legal/medical counselling without parental consent, 16 years;

Education, whilst not compulsory, is encouraged up to the age of 16 years;

Sexual consent is forbidden outside of marriage;

There is an unwritten rule that marriage before the age of 15 should be prohibited and, under Law 9/91, section 21, parents are advised to discourage marriage before the age of 16. Early marriages continue to occur in Maldives, particularly in the outlying atolls;

Voluntary enlistment into the National Security Services can only be made by those over 16 years old;

Children under 16 years cannot give testimony in court;

Regarding criminal liability, Maldivian law regards a person over 15 years as criminally responsible. Children under 15 are not charged with offences, unless the offence is murder, use and trafficking of drugs, major theft and fornication or religious offences;

The Law on the Protection of the Rights of the Child (Law No. 9/91) prohibits any child who is below 16 years being employed, for gain, at a place where persons are employed for gain;

The Rules of Procedure of the Courts require that children below the age of 16 shall not be subjected to imprisonment or banishment;

Consumption of intoxicating substances and/or drugs is forbidden to all Muslim persons.

III. GENERAL PRINCIPLES

Non-discrimination (art. 2)

28. It is provided in the Maldivian Constitution that all persons are equal before the law and that equal rights are guaranteed to men and women.

29. Stereotyping of gender roles results in the girl child from infancy of parental expectations of roles associated with childbearing and child rearing. Simultaneously, the boy learns to assume a role of financial caretaker of the family based on the role model provided to him by his father and other male relatives.

30. The traditional, predominating role of women is that of wife and mother and a pervasive feature of Maldivian society, particularly in the outlying atolls is that women marry very early, remarry several times and bear a number of children, from a very young age until their mid-forties. This has serious implications for their health. This situation is, however on the decline, as can be seen in Malé, where women comprise around 50 per cent of the workforce, some of them occupying prestigious positions.

Best interests of the child (art. 3)

31. In making decisions regarding custody it is emphasized that all parties concerned should ensure that the best interests of the child are served.

32. Children under 7 years will, primarily, remain with their mother. If this is not deemed appropriate (if, for example, the mother is to remarry and

have other children), custody will be offered to the maternal grandmother, the paternal grandmother or the father, in descending order of priority. Children over the age of 7 years can choose in whose custody they wish to remain.

Right to life, survival and development (art. 6)

33. Law 9/91 (chap. 1, No. 2) states that "provision should be made to ensure maternal and child health from the time of conception to delivery, through health education of parents, and the treatment of illnesses".

34. Under Maldivian law, the definition of a child commences at the time of conception. It is, therefore an offence to abort the child at any stage of a pregnancy. Pregnancies can only be terminated if there are serious medical reasons which threaten the health of the mother.

35. Section 4 of Law 9/91 requires the Government to identify reasons for child mortality, and aims to reduce it by raising public awareness. This Law reinforced action taken in 1990, when the World Summit for Children was signed by the President. This approved a Plan of Action whose goals included:

Reduction of the infant mortality rate, by 50 per 1,000 or one third, whichever is less;

Reduction of the under-5 mortality rate by 70 per 1,000 or one third, whichever is less.

The present infant mortality rate stands at 30 per 1,000 live births (Statistical Year Book).

Respect for the views of the child (art. 12)

36. In custody cases involving children, the views of the child are given considerable weight by the courts. Upon reaching the age of 7, the child has the right to opt in whose custody he would remain.

IV. CIVIL RIGHTS AND FREEDOMS

Name and nationality (art. 7)

37. Section 2 of the Law on Vital Registration at birth (Law 7/92), requires that an application be made to register the birth of a child within seven days of the date of the birth. Under the said Law it is the responsibility of the father and, in the absence of the father, of the mother to file such application. Failure to do so would result in a fine.

38. The citizenship laws of Maldives have been amended to enable a child whose father is a foreigner and whose mother is Maldivian to apply for Maldivian citizenship.

Preservation of identity (art. 8)

39. The Law on Registration of Births and Deaths further requires that an application be made for a certificate of registration of the child before the child reaches the age of 16 years. Children can only attend school if they are registered, so compliance is high.

Freedom of expression (art. 13)

40. The Constitution of Maldives guarantees freedom of expression to all its citizens. Since children fall within the definition of citizens, they too enjoy the same rights in respect of freedom of expression. This would include freedom to seek, receive and impart information and ideas of all kinds in writing or in print or through any other media of the child's choice.

Access to appropriate information (art. 17)

41. The Law on the Protection of the Rights of the Child, No. 9/91 (chap. 1, No. 7) states that special programmes consisting of information necessary for children should be broadcast and that the programmes should not consist of materials which are injurious to the child's well-being.

42. To enable children to have access to information and material from a diversity of national sources, a section of the National Library specially caters for children's books, magazines and materials. National radio and television (introduced in 1978) disseminates information and materials of social and cultural benefit to the child by way of children's programmes. Law No. 9/91 expressly prohibits dissemination of any information that is detrimental to the dignity of the child.

Freedom of thought, conscience and religion (art. 14)

43. As Maldives is a 100 per cent Muslim country, the Constitution of Maldives is silent about the freedom of religion. Regulations do, however, permit non-Muslims to practise their religion in privacy. Thought and conscience are inextricably bound by and linked in Maldives with the Muslim religion, which all Maldivian citizens must follows and practise.

Freedom of association and peaceful assembly (art. 15)

44. Freedom to assemble without arms is a fundamental right entrenched in the Maldivian Constitution. Children enjoy the same rights that any other Maldivian citizen enjoys.

Protection of privacy (art. 16)

45. The Constitution provides legislation to guarantee the privacy of individuals, including that of children.

The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37)

46. The Law on the Protection of the Rights of the Child (Law No. 9/91) prohibits imposing cruel and degrading punishment on children. New legislation was enacted in 1991 which considers those under the age of 16 as children and provides for special consideration in the prosecution and punishment of juvenile offenders.

47. Section 18 of Law 9/91 prohibits the beating of children, or imposing severe punishment which might harm the child mentally or physically, by

parents. It is not an accepted form of child punishment. Section 10 of Law 9/91 aims to ensure that punishment in school will not affect the child physically or psychologically.

V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

48. Within Maldivian society, it is common to find a very high rate of marriage, divorce and remarriage. Most women are married by 18 years of age and remarried four to six times by the time they are 50. One consequence of these "multiple" marriages is that some children are likely to have one or more step-parents (in addition to their natural parents), half-siblings and, consequently, large and complex kinship networks. One type of extended family which exists is "polynuclear", which clearly has advantages in terms of the greater variety of relations with whom the child can identify and form relationships, and greater opportunities for alternative care arrangements.

49. The extended family is, traditionally, the norm, a newly married couple taking up residence with the family of one of the partners. Consequently, households are quite large (particularly on Malé owing to the limitations on living space) and may have a number of different generations residing together.

Parental guidance (art. 5)/Parental responsibilities (art. 18)

50. Sections 13 to 15 of the Law on the Protection of the Child deals with parental responsibilities, rights and duties. These sections cover the parents' responsibilities for the upbringing and development of the child, including their duty to provide shelter, food, clothing and basic health care for their child and the obligation to give them basic education.

51. Parental responsibilities towards children are, inevitably, affected by the high rate of divorce. In the traditional society, within the extended family, divorce meant no major disadvantage to the child or the parents. Children were mostly taken care of by another member of the family. Basic needs were met rather modestly in the subsistence economy, so the financial burden was not felt. Today, however, (particularly in Malé) some children and women in divorced families are not cushioned by extended families. These children are felt to be children in especially difficult circumstances in the context of Maldives. The number is increasing, particularly urban adolescent children without adequate space to live, children from poor families, children of broken families, school drop-outs and those without adequate parental care, all particularly vulnerable to turning to crime. There is growing public concern that a law and order problem is emerging in Malé, with fears of youths spending time on the streets, forming gangs and getting involved in substance abuse.

52. To ensure that the child is afforded legal protection from matrimonial disharmony and separation, Law 9/91 (chap. 2, No. 19) states: "if parents have to separate this should not affect the child's education, conduct or health".

Separation from parents (art. 9)

53. The extended family supports children who need to be separated from their parents. There is a residential institution, exclusively for boys. Further services and facilities are planned to be developed.

54. Children may face separation from one or both parents because of the high incidence of divorce; and children from some atolls leaving their own families to "lodge" with friends or relatives elsewhere for the duration of their studies.

Family reunification (art. 10)

55. Maldives has not experienced situations such as armed conflict, civil wars or social unrest, so there is no legislation or policies on this issue.

Recovery of maintenance for the child (art. 27)

56. Law 9/91 (chap. 2, No. 20) states that if parents are divorced or separated, support should be provided for the children in accordance with court orders.

Children deprived of a family environment (art. 20)

57. Section 11 of Law 9/91 gives importance to protecting the rights of orphans. In the absence of parents or legal guardians, the Government should ensure the development of institutions, facilities and services for the care of these children.

58. The Unit for the Rights of Children is involved in all cases of neglect or abandonment. Residential care is provided by the Ministry of Education at the Maafushi Education and Training Centre, which accepts boys between the ages of 9 and 16. There are no provisions for girls. Extended families tend to provide alternative care, in the absence of the natural parents.

Adoption (art. 21)

59. There is no "formalized" system of adoption in Maldives, although the system that does operate is organized through the Ministry of Justice and Islamic Affairs.

Illicit transfer and non-return (art. 11)

60. Not being subject to wars, internal conflicts or political instability, the application of this article in Maldives is felt to be unnecessary.

Abuse and neglect (art. 19, including physical and psychological recovery and social integration (art. 39)

61. Section 25 of Law 9/91 prohibits all forms of physical or psychological violence, injury or abuse, neglect or negligent treatment or exploitation, including sexual abuse.

62. The Unit for the Rights of Children deals with all reported cases of abuse or neglect. The Unit is based in Malé, and residents of Malé can be guaranteed the offer of counselling to help to reintegrate victims back into families/communities, if appropriate, or to offer suitable support. In the atolls, however, there are few trained counsellors and the opportunities for receiving formal counselling is therefore limited. Maafushi Education and Training Centre is used to accommodate boys who are neglected, but only with the consent of their parents.

Periodic review of placements

63. Cases of children placed in the Maafushi Centre are reviewed on a regular basis, with the intention of assessing their suitability to return home. Placements are agreed between URC and the island offices, the atoll offices, the Ministry of Education, Maafushi staff and the parents, all of whom have a role in reviewing progress. Annual return home for a month ensures that all boys who have families have the opportunity to renew family relationships, and test their ability to remain in the family environment.

VI. BASIC HEALTH AND WELFARE

Survival and development (art. 6)

64. Antenatal care is available to all pregnant women, primarily through the family health worker and the "foolhumaa" (traditional birth attendant). Although inadequate maternal care, difficulties in transporting the women to hospital, either in Malé or to the regional hospitals, and chronic undernutrition continue to make delivery and motherhood risky, significant improvements have taken place over the past decade.

65. Indicators of child survival and development are the infant mortality rate and the under-5 mortality rate. (See para. 35 above.) Law 9/91 (chap. 1, No. 4) states the need to find the cause of infant mortality and to reduce it through a programme of health education. There has been a sharp reduction in the infant mortality rate and the under-5 mortality rate, first in Malé and then in the atolls, as a result of a number of improvements.

66. Maldives has achieved universal child immunization against the six main vaccine-preventable diseases of childhood, with a coverage of over 90 per cent. Other common morbidities include:

Viral Hepatitis B, which presented a high incidence in the Maldivian population. A vaccine against Hepatitis B was added to the immunization schedule in 1993;

Thalassaemia a fatal congenital condition affecting 1 in 250 children born and resulting in an average life span of four to five years. In order to reduce its incidence, the National Thalassaemia Programme and a Public Awareness Programme are run by the Society for Health Education (SHE), a non-governmental organization, including screening and counselling services in the community and in secondary schools. The National Thalassaemia Centre was opened in 1994 to address the problem.

Diarrhoea continues to be endemic in Maldives, particularly in children under 5, due to lack of awareness of proper hygiene. There has been a reduction in diarrhoeal mortality, through mobile teams promoting Oral Rehydration Treatment too.

Acute respiratory infection is the largest single cause of child mortality and morbidity and is a major health problem. The NPA calls for its reduction by launching a programme for screening, upgrading diagnostic skills and public education.

67. These developments have brought about a significant reduction in the infant mortality rate, which in 1993 stood at 34 per 1,000.

68. There is also a nation-wide programme to educate mothers concerning the proper upbringing of children. Apart from regular radio and television programmes, leaflets and posters are published and distributed freely on this subject. In this programme, special emphasis is laid on the physical, mental and emotional development of the child.

Disabled children (art. 23)

69. Law 9/91 (chap. 1, No. 6) places responsibility on the Government to provide "any possible assistance, depending on resources and facilities to minimize physical disabilities".

70. Law 9/91 (chap. 2, No. 17) places responsibilities on the parents in respect of disabled children:

> "If a child becomes disabled, the special needs of the child should be fulfilled, taking into account the financial resources of the parents. The child should be prepared for employment and recreation, in order to achieve the fullest possible social integration and individual development."

71. Disabled children do not appear to have been a major concern in Maldivian society, perhaps as they were traditionally taken care of by their families.

72. A special programme for primary-aged blind and deaf children is conducted in a regular school in Malé, with a specialist teacher in charge.

Health and health services (art. 24)

73. The Ministry of Health and Welfare is responsible for the provision of health services. They consist of: Indira Gandhi Memorial Hospital (the central referral hospital), Malé; Malé Health Centre; 4 regional hospitals; 22 community health centres at atoll level; and 212 health posts (1993). The Indira Gandhi Memorial Hospital is the best equipped, providing certain specialist medical care for the whole country. There are also a number of private health clinics in Malé, which are proving a popular choice. More complicated conditions are treated abroad.

74. Community health centres, with community health workers provide primary health care. Community health workers visit islands once every two months to

deliver medicines and contraceptives and supervise the work of the family health workers (FHWs). The health post, manned by an FHW, is the basic preventive health care (not curative) available on the islands. On some islands there is only a "foolhuma". Efforts are under way to staff every health post by an FHW and a "foolhuma".

75. Despite recent expansion, the health service faces major constraints:

Difficulties in recruiting and retaining staff at all levels, due to shortage of suitable candidates;

Inadequate and basic training;

Inadequate diagnostic capabilities.

76. Several health projects have been launched with the assistance of UNICEF, and UNFPA is supporting health studies and assisting Society for Health Education (the only NGO involved in an ongoing project).

77. Government expenditure on health has substantially increased in recent years. The NDP 1991-1993 provided for a 6 per cent annual growth in resources allocated to health.

78. Since the country cannot cope with a booming population, there is a nationwide programme to promote and increase the availability of family planning services, through the Department of Public Health, UNFPA and SHE. Small families are encouraged with a view to improving the standard of living. However, despite these efforts, only around 23 per cent of currently married women are contraceptive users. A host of institutional and sociocultural factors affect the implementation of an efficient delivery service with an outreach to island women.

Social security and child care services and facilities (arts. 26 and 18)

79. There are no national laws regarding social security or insurance.

80. There are few child care services or facilities. The demand for them may appear, to some, to be limited, because large, extended families can offer greater opportunities for family members to provide care to young children if both parents are working. However, with traditional extended families now being replaced by smaller, "nuclear" families, the demand for child-care provision will become more obvious.

Standard of living (art. 27)

Nutrition

81. To improve the standard of living of the child, information on nutritious food is disseminated through the media and also by distributing leaflets. Despite such campaigns, undernutrition remains widespread, with around 50 per cent of children suffering ailments related to unbalanced diets. Such chronic undernutrition results in short physical stature, or "stunting"

(estimated around 30 per cent), underweight for age, "wasting" (estimated around 40 per cent), low birth weights and poor child health. There are, however no severe cases in Maldives. The reasons for undernutrition are:

Inappropriate weaning;

Lack of knowledge of nutrition and care practices;

Occasional shortages of a variety of foods on some of the isolated islands;

Lack of diversity and adequacy of food intake;

Diarrhoea;

Worm infestations.

82. Iron deficiency is a problem in Maldives. Some 30 per cent of children are believed to be suffering from anaemia. It is a major public health problem, currently being tackled by raising awareness concerning health and nutrition, and improving antenatal care.

Sanitation/safe water

83. Maldives Water Supply and Sanitation Authority (MWSA) is responsible for overseeing all water supply and sanitation activities throughout the country. In the 1980s the Maldives Government initiated action and made progress in providing safe drinking water and sanitation. Providing universal access to these two basic needs still remains a major challenge. The NPA pledges to:

Maintain universal access to safe water in Malé;

Raise rural access to safe water from 50 per cent (1990) to 80 per cent by 1995 and to universal access by 2000;

Maintain universal access to sanitary latrines in Malé;

Raise rural access to sanitary latrines from 22 per cent (the current level) to 25 per cent by 1995 and 50 per cent by 2000.

Water supply

84. Drinking water is either rainwater or well water, except in Malé where desalinated water is available. MWSA is currently installing pipes throughout Malé, to provide piped, desalinated water to each household. Rainwater is safe but varies in quantity. Well water varies widely in quality. Access to safe water is therefore dependant on a number of variables. The number of people with access to safe water will be low until the number of rainwater tanks is increased. The collection of rainwater is, however, dependant on roof surface area, and in some areas this is not sufficiently high to provide enough water. MWSA has also commenced a programme of installing rainwater tanks on the outlying islands.

85. The hydrogeological characteristics of the small islands pose problems of obtaining safe drinking water for a population that has been rapidly expanding and thereby depleting groundwater faster than it is being replenished. Other constraints are:

(i) MWSA is a centralized organization with limited manpower;

(ii) Construction of storage tanks for harvesting rainwater is problematic because of lack of skills, lack of site location and the high costs of underground storage;

(iii) Desalination of seawater is too costly;

(iv) Importing and storing water is too costly.

Sanitation

86. Traditional systems of "gifili" (digging pits) and defecation on the beach pose health hazards for all islands except for a few large ones with small populations. Provision of safe latrines has been problematic: the flush toilet system does not suit Maldivian conditions as it promotes the discharge of the limited groundwater into the sea. Alternatives have been tried with little success, most having met with a high degree of social unacceptability.

87. Like safe water, sanitation facilities are fully maintained in Malé, where sewerage service is provided to almost all households. However, in more than half of the islands outside of Malé water and sanitation problems have become the main concern. The overwhelming demand is for private modern latrines and public sewerage systems that have no long-term negative effect on the environment, are acceptable to the people and are affordable.

Housing

88. Housing plots are allocated free by the Government, but there is a wide disparity of housing quality between Malé and other islands. On Malé there is very limited space, insufficient for the population; consequently there is a selection procedure for applicants for building plots, leaving others reliant on expensive rented accommodation.

89. Malé "houses" around 61,250 people (one quarter of the country's population), on an island just under 2 sq. kms. in size. This makes it one of the most densely inhabited capitals of the world. Accommodation is very scarce, resulting in high rents and small dwellings, with little or no private outside areas. As families tend to be large and multi-generational, and dwellings small, overcrowding is a common and often acute problem. Many households live in constant lack of privacy and space.

90. Although some other islands do have areas of high population density, overcrowding is relatively rare outside of Malé. Families elsewhere enjoy much larger dwellings, with much more space both inside and outside for children to play.

VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

91. Section 5 of Law 9/91 lays down government responsibilities to provide facilities for education and personal development in all the islands, depending on the resources available. In this manner, religious teachings should be highlighted. Also, recreational facilities should be provided.

92. Section 15 of Law 9/91 lays down parental responsibilities as ensuring children's right to education, religious education and an upbringing to the best of the parents' financial capabilities.

Education (art. 28)

93. The national education system is currently a mix of traditional institutions (Edhuruge's, Kiyavaage's, Makthab's and Madhurasa's) and modern schools, although the former, traditional system is being slowly assimilated into the modern system. The primary education system is a five-year cycle which children enter at age 6. The sixth and seventh year is the Middle School and is part of the seven-year extended basic education, which defines the minimum educational attainment for all children by the year 2000.

94. Grades 8, 9 and 10 compose lower secondary education, at the end of which students can take, O-Levels. Lower secondary schooling, grades 7 and 8, was previously only available in Malé, but has now been introduced on several other atolls. Upper secondary education, grades 11 and 12, is offered only at the coeducational Science Education Centre in Malé. There is no tertiary education in the country. The Non-Formal Education Department provides educational and vocational training courses, both within Malé and, on a distance learning basis, for children on the outlying islands.

95. Schooling is provided free in the government schools (although there are also private institutions) and, whilst it is not compulsory in law, children are encouraged to attend school until the age of 16, and more than 95 per cent of primary-school-aged children are enrolled in a school. The primary education programme constituted one of the major campaigns between 1980 and 1990. People have thus begun to realize the importance of an education, if not their right to one, and 1 in 3 of the country's 245,000 people currently attends school.

96. Many of the problems relating to education stem from the dispersed and fragmented physical structure of the country. Providing the facilities, teachers and learning materials that high quality schooling requires in all the 200 inhabited islands is not possible. The solution that has been developed is to concentrate educational resources, especially above the primary level, in Malé. Children seeking education at higher levels have to leave their home island to attend school in Malé. This has resulted in inequity in educational quality between Malé and the atolls and pressure on existing facilities necessitating shorter school hours and multiple sessions

on a "shift" system. The highest level of education achieved in Maldives is year 12, and further studies have to be undertaken abroad. The total number of graduates is a little over 300. This lack of skilled personnel hampers development.

Aims of education (art. 29)

97. The aim of education in Maldives is to develop children mentally, physically, emotionally and spiritually in conformity with Islam. The ultimate objective is to produce responsible, understanding, cultured and industrious citizens who will enhance the country's development. The new "modern" system aims at developing a modern curriculum reflecting primarily the realities of the culture of the country and at the same time helping the country enter the modern world.

Leisure, recreation and cultural activities (art. 31)

98. Each academic year is comprised of about 190 days so children have plenty of time for recreation etc. Most schools have playgrounds and other facilities for sports and co-curricular activities are incorporated in the school curriculum. Schools organize and hold several sports events. Other activities like scouting, guiding, cadeting and music are common. Competitions are occasionally organized by NGOs too.

99. There are, on Malé and several other islands, parks and recreational areas specifically for children.

100. Various cultural activities are taught to children.

VIII. SPECIAL PROTECTION MEASURES

Refugee children (art. 22) and children in armed conflict (art. 38/39)

101. Natural disasters of a devastating magnitude, war and famine have never occurred in Maldives and there are, therefore, no refugee children or children involved in armed conflict. There is, consequently, no legislation relating to such matters.

The administration of juvenile justice (art. 40)

102. Rules relating to the administration of juvenile justice are contained in the Penal Code (1960), the Law on the Protection of the Rights of the Child (2.12.91), and circulars issued by the Presidential Office and the Ministry of Justice.

103. Presidential decree No. 67/90 directs government authorities not to charge persons under 15 years of age for offences, stating that "small children" (up to 15 years) will suffer from psychological problems if they are prosecuted, taken to court and punished. The National Security Services (law enforcement agency) would refer to the child (under 16 years) to the Unit for the Rights of the Child (URC) who, following an initial assessment, will

decide whether ongoing counselling is to be offered, in an attempt to "reform" that person. Additionally, parents would be summoned to the offices to sign documents agreeing to look after, and attempt correction of, the child and, if property were damaged or lost, to make compensation.

104. However there are exceptions, related to the commission of very serious crime, which in Maldivian law includes homicide, adultery, drug abuse and major theft. Every child, over the age of 7 years, who commits one of these offences is prosecuted and faces court proceedings and punishment. Presidential decree 67/90 instructs that such cases be closed appropriately by such authorities, by house arrest, so far as it is permitted by law.

105. Robbery, disloyalty and stealing also attract special attention, under Ministry of Justice Circular 4/88 (6.4.88), and children under 16 years of age face prosecution and punishment for these crimes. Punishment is dictated as house arrest for a period of not more than one year.

Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings (art. 37)

106. The Law for the Protection of the Rights of the Child (9/91) prohibits imposing cruel and degrading punishment on children. Additionally, Ministry of Justice Circular 4/88 (6.4.88) and Presidential Administrative Directive 1-F/21/88/62 prohibit any child under the age of 16 being banished or imprisoned as they may "suffer serious psychological damage which may influence their future". It is required that such offenders be put under house arrest or fined in appropriate cases.

The sentencing of juveniles, in particular the prohibition of capital punishment and life imprisonment (art. 37)

107. Ministry of Justice Circular 4/88 (6.4.88) prohibits banishment and imprisonment for children under the age of 16 years.

108. Section 7 of the Penal Code states that save for the offence of murder or religious offences, the judge has the discretion to give lighter sentences.

Physical and psychological recovery and social reintegration (art. 39)

109. The Unit for the Rights of the Child and the Maafushi Training and Educating Centre provide rehabilitative services to juvenile offenders.

Economic exploitation, including child labour (art. 32)

110. Law 9/91 (chap. 3, No. 27) prohibits any child under the age of 16 from working for payment.

111. In Maldives, unlike many other South Asian countries, child labour is not apparent nor widespread. Children are not hired as employees in any sector of the economy in any part of the country.

Drug abuse (art. 33)

112. Drug abuse is considered to be one of the most serious crimes and, under Ministry of Justice, Circular 2/924, (22.2.94), people under the age of 16 are prosecuted and face court proceedings. They cannot be sent to prison, but can be placed under house arrest for a period of not more than five years. Such legislation would seem to be in the interests and for the protection of the child as, if children were exempt from prosecution for drugs offences, the opportunity for adults to exploit children by utilizing them for the trafficking and sale of illicit drugs would increase. The legislation specifies severe punishment for persons who sell or give narcotic drugs to children under the age of 16.

113. There is growing concern about the number of cases of drug abuse, as incidents reported to the URC have increased. Drugs which are abused include those normally only available on prescription, such as tranquilizers, and illicit drugs such as marijuana, amphetamines and heroin.

114. Young people involved in substance abuse, and known cases will be referred to the URC for counselling. However, a Drug Rehabilitation Centre is shortly to open, which will accommodate both adults and children.

Sexual exploitation and sexual abuse (art. 34)

115. Section 25 of Law 9/91 places responsibility on the community to report cases of maltreatment, sexual abuse or anything that affects a child's dignity, for judicial involvement.

116. The existence/incidence of child prostitutes is not known, and is certainly not evident. There have, however, been cases of sexual abuse referred to the URC although this may not reflect the full extent of abuse because there is, as in many countries, unwillingness to accept some forms of sexual abuse/exploitation.

Sale, trafficking and abduction (art. 35)

117. This has not been an issue in Maldives, so legislation for its prevention is not felt to be necessary.

Other forms of exploitation (art. 36)

118. No other form of exploitation is evident or apparent in Maldives, so no additional legislation is necessary.

Children belonging to a minority or indigenous group

119. There are no distinct ethnic or minority groups in Maldives. Although traces of the old nobility still survive, intermarriage among all ranks of society is common. In Maldivian society no particular group is disadvantaged by lineage or place of birth.